



5.0 - CLOSURE PLAN IMPLEMENTATION/OVERSIGHT

After the approval of a closure plan, the owner or operator may commence closure. The owner or operator should conduct final closure in accordance with the approved closure plan. The permit writer is responsible to oversee final closure activities. Department oversight is not required for partial closure of the treatment and storage units undergoing partial closure since certification of these units is postponed until final closure.

Closure Notification

Closure oversight begins when the owner or operator notifies the Department that he/she will begin final closure of the treatment and storage units. The owner or operator should provide written notification at least 45 days prior to the date on which he/she expects to begin final closure.

The date when the owner or operator "expects to begin final closure" shall be the date on which any hazardous waste management unit receives the known final volume of hazardous waste. This date may be delayed up to one year after the date on which the unit received the most recent volume of hazardous wastes provided that:

- a. There is a reasonable possibility that the hazardous waste management unit will receive additional hazardous wastes;
- b. The unit or facility has the capacity to receive additional hazardous wastes;
- c. The owner or operator has taken, and will continue to take, all steps necessary to comply with applicable permit or interim status requirements;
- d. The extension will not pose a threat to human health or the environment; and
- e. The Department approves such extension upon review of the owner's or operator's written petition.

Upon receipt of the closure notification, the Department may review the closure plan to determine whether any factor has significantly changed since a prior review was undertaken, or determine whether the plan is otherwise adequate or inadequate, and may prescribe additional requirement or request modifications to the plan.

The 45-day notification requirement does not apply to permitted facility if its permit terminated, or if the owner or operator is ordered to cease management of hazardous wastes. Instead, the owner or operator should begin closure in accordance with the approved closure plan within 90 days after receiving the final volume of hazardous wastes.

Closure Schedule

- a. **Waste Removal/Equipment & Structure Decontamination** - The owner or operator must remove all hazardous wastes (i.e., listed in Chapter 3.5 of these instructions) from the unit/facility or treat the wastes onsite and decontaminate all facility structures and equipment in accordance with the approved closure plan. These activities must be completed within 90 days after receiving the final volume of hazardous waste at the unit or facility (or, for interim status facilities, within 90 days after approval of the closure plan, which ever occurs later).
- b. **Completion of All Closure Activities** - The owner or operator must complete final closure (i.e., soil sampling, excavation, treatment) in accordance with the approved closure plan within 180 days after receiving the final volume of hazardous waste at the unit or facility (or, for interim status facilities, within 180 days after approval of the closure plan, which ever occurs later).
- c. **Deadline Extensions** - The Department may approve extensions to the 90-day or 180-day time limits, if the

owner or operator complies with the Class 1 (with an asterisk) permit modification (if the unit or facility is permitted) and demonstrates one of the following:

! The activities required to treat or remove the hazardous wastes will, of necessity, take longer than the allowed 90 or 180 days; or

! The unit/facility has the capacity to receive additional wastes; there is reasonable likelihood that someone (other than the owner or operator) will recommence operation of the unit/facility within one year; and closure would be incompatible with continued operation of the unit/facility.

The owner or operator must also demonstrate that all steps have been taken and will continue to be taken to prevent threats to human health and the environment from the unit/facility, including compliance with all permit or interim status requirements.

The extension request and required demonstrations must be submitted to the Department by the owner or operator at least 30 days prior to the expiration of the 90-day or 180-day period.

Inspection

The permit writer should inspect the facility at least once during closure implementation. Inspection may be conducted during facility decontamination or soil sampling activity. Upon completion of an inspection, the permit writer should prepare an inspection report which includes the following information at a minimum:

- a. Facility information (e.g., facility name, EPA ID number, location address, facility representative onsite, inspection date);
- b. Observation (e.g., weather condition, closure activities observed, variance to any procedures outlined in the approved closure plan); and
- c. Photographs, sketches, and maps.

Split Samples

To ensure quality control of sample analysis, the Department may analyze samples taken by the owner or operator. The Department may require the owner or operator to take split samples for all soil and background samples taken. The split samples should be co-located (collected consecutively from the same or adjacent location) or divided from a homogeneous sample (applicable only for metal analysis).

The split samples may be labelled as Set A and Set B. Set A samples will be sent to the owner's or operator's designated laboratory. Set B samples should be given to the permit writer during facility inspection. The permit writer would then select about five percent of the pre-determined samples and send them to HML/SCL for analysis. For those samples not selected, the permit writer should remove the labels or wipe off the markings on the sample containers with alcohol before giving them back to the owner or operator for disposal.

Site Characterization Sampling

If during the course of closure implementation the facility takes confirmation samples adjacent to and under the regulated units and the analytical results indicate there are hazardous constituents above background or non-detect levels, then the facility must propose to implement site characterization sampling. They must submit a plan of how they will do this and the permit writer must review and approve it via the closure plan modification process.

The purpose of site characterization is to determine the horizontal and vertical extent of the release of hazardous constituents from the regulated unit(s). The results of this sampling will allow the facility to quantify the extent

of soil excavation required. They could then decide if it is economically feasible to excavate all the soil or rather propose to leave the constituents in place and justify doing so via a health based risk assessment.

Closure Plan Amendments

a. Conditions Requiring Amendment - The owner or operator must amend (and the Department may require amendment of) the closure plan when any of the following occur:

- ! Changes in facility design or operations which affect the closure plan,
- ! Changes in the expected year of final closure,
- ! Changes and extension of closure schedule for any unit or the facility,
- ! Changes in procedures for decontamination of facility equipment or structures,
- ! Changes in approved closure plan resulting from unexpected events occurring during partial or final closure, and
- ! Addition of the new units temporarily for treating contaminated equipment, structures, and soils.

b. Mechanism

! Permitted Facility - The owner or operator must submit a written request for a permit modification including appropriate activity fee and a copy of the amended closure plan for approval. The Department should process the permit modification in accordance with the applicable procedures in 22 CCR, Division 4.5, Chapters 20 and 21.

! Interim Status Facility with an Approved Closure Plan - The owner or operator must submit a written request to the Department to authorize a change to the approved closure plan. The written request must include a copy of the amended closure plan for approval by the Department.

c. Submittal Schedule - The owner or operator must amend the closure plan (or submit a permit modification for permitted facility) within the following schedule:

! Any changes that are known to the owner or operator before closure implementation: 60 days prior to the change or 60 days after the Department request for plan amendment (whichever occurs first), and

! Any changes occur during closure implementation: 30 days prior to the change or 30 days after the Department requests the plan amendment (which ever occurs first).

WP File Name: CH0500_C.MAN

List of Examples:

List of Attachments:

List of References:

List of Appendices: